

REMARKS

Claims 15 through 25 continue to be in the case. Claim 16 is being amended.

The present amendment submits new claims 26 through 33. The new claims have the following basis:

New Claim	Basis
26	claim 15
27	claim 16
28	claim 17
29	claim 18
30	claim 19
31	claim 20
32	claim 22
33	claim 23

The Office Action refers to Claim Rejections - 35 USC § 112.

3. Claims 12-25 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant is submitting new claims 26 through 33, which are deemed to point out and distinctly claim the subject matter which applicant regards as the invention.

Reconsideration of all outstanding rejections is respectfully requested.

All claims as presently submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,

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MARKED-UP VERSION OF THE AMENDED CLAIMS

(Version with markings to show changes made)

16. (twice amended) Suitcase according to claim 15 [in] wherein the plastic is a semirigid plastic.

26. (new) A vertical suitcase of essentially parallelepipedal shape without rigid frame

comprising

an upper surface part having sequentially a first edge, a second edge, a third edge and a fourth edge and being a formed sheet of a tough material with a curved form defining a rounded first upper arris at the first edge of the upper surface part and defining a rounded third upper arris at the third edge of the upper surface part;

a front face consisting of supple material and having an opening and having sequentially a first edge, a second edge, a third edge and a fourth edge, wherein the first edge of the front face is joined by the third edge of the upper surface;

a lower surface part having sequentially a first edge, a second edge, a third edge and a fourth edge wherein the third edge of the front face is joined by the first edge of the lower surface part and being a formed sheet of a tough material with a curved form defining a rounded first lower arris at the first edge of the lower surface part and defining a rounded third lower arris at the third edge of the lower surface part;

a rear face consisting of supple material and having sequentially a first edge, a second edge, a third edge and a fourth edge, wherein the third face of the lower surface part is joined by the third edge of the rear face and wherein the first edge of the upper surface part is joined by the third edge of the rear face;

a pair of tubes extending between the upper surface part near the first edge of the upper surface part and the lower surface part near the first edge of the lower surface part thereby achieving a rigidification of the suitcase by the pair of tubes and wherein the pair of tubes supports the supple material of the rear face, wherein said tubes are disposed adjacent to the rear face;

a retractable handle located on the outside of the upper surface part and including a pair of rods adapted to slide in the pair of tubes, wherein said pair of tubes consists of guides for the rods of the retractable handle;

a flap or panel covering the opening;

closing means for opening the flap or panel;

a first lateral face being made of a supple material and having sequentially a first edge, a second edge, a third edge and a fourth edge, wherein the first edge of the first lateral side adjoins the second edge of the upper surface part, wherein the second edge of the first lateral side adjoins the second edge of the front face, wherein the third edge of the first lateral side adjoins the second edge of the lower surface part, wherein the fourth edge of the first lateral side adjoins the second edge of the rear face;

a second lateral face being made of a supple material and having sequentially a first edge, a second edge, a third edge and a fourth edge, wherein the first edge of the first lateral side adjoins the fourth edge of the upper surface part, wherein the second edge of the first lateral side adjoins the fourth edge of the front face, wherein the third edge of the first lateral side adjoins the fourth edge of the lower surface part, wherein the fourth edge of the first lateral side adjoins the fourth edge of the rear face;

a first elastic retaining ring hooping the first lateral side to the second edge of the upper surface part, to the second edge of the front face, to the second edge of the lower surface part, and to the second edge of the rear face;

a second elastic retaining ring hooping the second lateral side to the fourth edge of the upper surface part, to the fourth edge of the front face, to the fourth edge of the lower surface part, and to the fourth edge of the rear face.

27. (new) The suitcase according to claim 26 wherein the upper surface part and the lower surface part are made of a semirigid plastic.

28. (new) The suitcase according to claim 26 wherein the upper and lower surface parts constitute the separate elements forming upper shell and lower shell.

29. (new) The suitcase according to claim 26 further comprising a central part disposed between the first edge of the upper surface part and the third edge of the lower surface part, wherein the upper and lower surface parts

are integrated together with the central part into an integral piece covered by the rear face.

30. (new) The suitcase according to claim 26 wherein a curved form of the lower part is imposed by curved extremities of the pair of tubes, wherein a curved form of the upper surface part is imposed by the first lateral retaining ring and by the second lateral retaining ring, wherein the lateral retaining rings are made of metal, and wherein the lateral retaining rings are furnished in the form of two lateral frames defining the lateral faces in flexible material.

31. (new) The suitcase according to claim 26 wherein the upper surface part and the lower surface part are fabricated from a polyethylene sheet or plate.

32. (new) The suitcase according to claim 26 further comprising a zip fastener furnished for the opening and furnished on the front face of the suitcase and extending up to at least the aforesaid front part over from about 15 to 40% of the surface of the front part and for enabling a partial opening of the front face.

33. (new) The suitcase according to claim 26 wherein the lower surface part is attached to the outer side of curved ends of the pair of tubes by riveting.